

LYNDON CITY COUNCIL  
REGULAR MEETING MINUTES OF  
JUNE 7, 2010

The Lyndon City Council met in regular session on Monday, June 7, 2010, 7:30 p.m., at City Hall.

Members Present: Kay Jones, Wayne Howard, Bill Patterson, Brandon Smith,  
Doug Watson, City Attorney Pat Walsh,  
City Clerk Barbara Schattak

Members Absent: Mayor Jeff Bronson and City Administrator, Larry Thurston

Others Present: Darby Kneisler  
Darrel Manning, Chief of Police/Zoning Administrator  
David Wilson, Maintenance Superintendent

In the absence of the mayor, Council President Bill Patterson called the meeting to order. A motion was made by Jones to approve the minutes of the adjourned meeting of May 17, 2010 as presented. Howard seconded the motion, which carried.

APPROVAL OF BILLS: Vouchers for payment of May expenses were presented. A motion was made by Smith to pay accounts as set forth. Jones seconded the motion, which carried.

SEWER REHAB: Presented a quote from KCCI in the amount of \$45,772, with point repairs costing an additional \$3500 if needed, to slip line a few more sewer mains with the remaining funds of the City's KDHE Loan. Each member received a copy of the history of the City's loan and payments. Dave reported the mains which will be slip-lined are lines where sewer has backed up into homes and these lines were not in the initial project. Dave also reported there may be at least one point repair. After some discussion, a motion was made by Jones to authorize KCCI to proceed with their quote of May 27<sup>th</sup> and for Dave to remind them after KCCI cleans and jets the lines to let the Council know if there would be any great variance in the quote. Howard seconded the motion, which carried.

FEMA: Presented a memo from Larry updating the governing body on the Christmas snow, all paperwork has been submitted and the City's claim came to \$2125.53 and he recommended not to apply for street repair funds from FEMA. Dave Wilson reported between the purchasing of material and repairs staff couldn't come up with the required amount to file and also recommended not applying for street repair funds. After some discussion, it was the consensus of the council to not proceed with the FEMA street repair claims.

CITY PARK FACILITIES: City Clerk Barb Schattak reported she has e-mailed two companies regarding a new restroom facility for the City Park and to date has not received any correspondence back from them. After some discussion, the matter was tabled.

COMMUNITY CENTER SIGN: Darrel Manning, Zoning Administrator, reported according to existing sign regulations, if the sign is damaged over 50% then the sign would need to come

into compliance to make the sign legal; the sign is considered a ground sign. Darrel reported the sign regulations are vague and recommends the Planning & Zoning re-visit this section; he has already visited with the Planning & Zoning Commission regarding the matter. After some discussion, the matter was tabled.

EASEMENT REQUEST: Darby Kneisler came back to request an easement be granted on the north side of his property along 13<sup>th</sup> Street in order to place his home as desired. Council President Bill Patterson updated the Council on Darby's request at the last meeting. After some discussion, a motion was made by Howard to allow a 10 foot easement for the purposes of building a structure along 13<sup>th</sup> Street on the North side of the Kneisler property contingent upon it being enough to get his building permit approved. Smith seconded the motion, which carried. City Attorney Pat Walsh requested Darby to supply a copy of his survey or deed in order to draft the easement and asked Darrel when he makes a determination on the building permit to let him know.

CMB REQUEST: Application for License to sell Retail Cereal Malt Beverages was received from Claudia Hillmon, for consumption on the premises; the proper fee was paid. A motion was made by Watson to approve the application and authorize Mayor Bronson to sign the on behalf of the City. Jones seconded the motion, which carried.

APPOINTMENTS: Requests to be appointed to the Planning and Zoning Commission were tabled in the absence of the mayor.

CITY CLERK: Received a thank you from the Marais des Cygnes Booster Club for the single student pool pass donated to their after-prom activities; each member received the May issue of the Kansas Government Journal and a police activity report.

Reported maintenance had noticed mildew growing on the Community Center carpet; announced C & M Carpet Cleaners have been notified and have treated the carpet.

CITY ATTORNEY: At 8:28 p.m. a motion was made by Jones to recess to executive session for 15 minutes to discuss a matter of attorney-client privilege. Watson seconded the motion, which carried. The governing body reconvened at 8:43 p.m. No action was taken.

At 8:46 p.m. a motion was made by Smith to recess to executive session for 20 minutes to discuss a matter of attorney-client privilege. Watson seconded the motion, which carried. The governing body reconvened at 9:06 p.m. No action was taken.

CITY ADMINISTRATOR'S CORRESPONDENCE: City Clerk, Barb Schattak, presented copies of correspondence generated from the City Administrator's office.

After reviewing a list of account balances furnished by Larry, Jones asked the City Clerk to generate a trial balance of funds for the next meeting.

Patterson questioned if the council would like to direct Larry to contact Rick Hines about entering into negotiations and a maintenance agreement with RWD #1. Smith questioned if Mr. Hines would need to come to another meeting or just need to know the City's intent; City

Attorney Pat Walsh indicated Mr. Hines will need to know all parameters. After some discussion, a motion was made by Watson to have Larry contact Rick Hines and tell him of the City's intent to enter into negotiation with RWD #1 to assume ownership and testing responsibilities of their line and the Council would like a check list of information he would need to draft said agreement. Smith seconded the motion, which carried.

GOVERNING BODY COMMENTS: Watson questioned since council meetings are recorded is the City legally responsible to keep the recorded meeting on file. The City Attorney stated it is not required and they are recorded to assist the City Clerk in preparing the minutes. City Clerk Barb Schattak reported once the minutes are approved the recording is destroyed.

Watson asked if there had been any response from the owners of the Tiger Ridge Subdivision in response to Larry's letter; Barb stated there had been no response to date.

Watson asked if there were any plans to have an official ribbon cutting ceremony with Dollar General when they open in the near future. After some discussion, it was the consensus of the council to have Larry to get with his contacts to see if they are interested in a ribbon cutting ceremony. The matter was tabled.

Jones reported Peggy Clark had contacted her regarding the Bailey House possibly being placed on the State Register; and attended a meeting with State officials at the cabin. To date she has not heard back from Ms. Clark to date but assumes the registry application has been completed. Jones stated Ms. Clark knows of a company which could possibly repair the building and they would know what the cost would be for repairs. As Jones knows more she will keep the council informed.

A question was raised about the no guns allowed signs posted at City Hall. After some discussion, Pat will research for a model ordinance. The matter was tabled.

Howard questioned Darrel if what is left of the Community Center sign needs to be removed until a new sign is ready. Darrel suggested the council read the section on signs he provided them before they make a decision.

Smith asked for an update on the water leak at City Hall; Barb reported Midwest Coating had been down to fix a seam which didn't seal.

Dave Wilson, Maintenance Superintendent, reported he would like to have some direction regarding meetings from the council since Larry's contract will be up soon. City Attorney Pat Walsh recommended going back to the old agenda format regarding maintenance and the police department.

Smith requested an update on the mower; Dave reported it will be coming soon.

Patterson reported this upcoming Saturday will be the Geo Caching Event and asked if the City would like to supply donuts and coffee for the event. After some discussion, it was the consensus of the council to provide donuts and coffee; Barb will contact Casey's for the donuts.

Patterson questioned if Darrel would need to resign from the Planning & Zoning Commission now he is Zoning Administrator. Pat did not feel this would be a conflict for Darrel.

At 9:35 p.m. a motion was made by Howard for adjournment to Monday, June 21, 2010, at 7:30 p.m. Jones seconded the motion, which carried.

A handwritten signature in cursive script, reading "Barbara Schattak". The signature is written in dark ink and is positioned above the printed name and title.

Barbara Schattak  
City Clerk